

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : GERS-BARLAG et al.
SERIAL NO. : 10/081,779
FILED : February 21, 2002
FOR : Emulsifier-free finely dispersed systems of the oil-in-water and
water-in-oil type
ART UNIT : 1616
EXAMINER : Michael G. Hartley

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May 26, 2004

Honorable Assistant Commissioner for Patents
P.O.Box 1450, Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Sir:

Your petitioner, Beiersdorf AG, represents that it is the assignee of the above-identified application by virtue of an assignment which was recorded in the U.S. Patent Office on September 15, 1999, at Reel 010250, Frame 0786. Your petitioner hereby disclaims the terminal portion of any patent granted on the above-identified application which would extend beyond the expiration date of U.S. Patent No. 6,391,321 B1 issued May 21, 2002, for Emulsifier-Free Finely Disperse Systems of the Oil-In-Water and Water-In-Oil-Type, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 6,391,321 this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any Terminal Disclaimer of U.S. Patent No. 6,391,321 in the event that it later: (1) expires for failure to pay a maintenance fee, (2) is held unenforceable, (3) is found invalid, (4) is statutorily disclaimed in whole, (5) is terminally disclaimed under 37 C.F.R. 1.321(a), (6) has all claims cancelled by a reexamination certificate, or (7) is otherwise terminated prior to the expiration of its statutory term as presently shortened by any Terminal Disclaimer, except for the separation of legal title stated above.

The undersigned is an attorney/agent of record and authorized to sign and submit this terminal disclaimer.

ADDITIONAL FEES

The Commissioner is hereby authorized to charge any fees which may be required, including the Terminal Disclaimer fee of \$110.00, or credit any overpayment to Deposit Account No. 14-1263.

Respectfully submitted,

NORRIS, McLAUGHLIN & MARCUS

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the foregoing Terminal Disclaimer is being facsimile transmitted to the United States Patent and Trademark Office on the date indicated below:

Date:

May 26, 2004

By: Agata Glinka
Agata Glinka